

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

GIOVANNI THOMAS JASSO,

Petitioner,

v.

GISELLE MATTESON,

Respondent.

No. 1:24-cv-00133-KES-SAB (HC)

ORDER TERMINATING PETITIONER'S
MOTION FOR CERTIFICATE OF
APPEALABILITY AND DIRECTING CLERK
OF COURT TO FORWARD MOTION TO
NINTH CIRCUIT

Doc. 45

Petitioner Giovanni Thomas Jasso is a state prisoner who proceeded pro se with a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254. On July 28, 2025, the Court denied the petition and declined to issue a certificate of appealability.¹ Doc. 41. That same day, the judgment issued. Doc. 42. On August 8, 2025, the Court received petitioner's notice of appeal, dated August 4, 2025, and the appeal was processed to the Ninth Circuit. Docs. 43, 44.

On August 11, 2025, the Court received the instant motion for certificate of appealability, dated August 7, 2025. Doc. 45. In that motion, petitioner requests that the Court issue a certificate of appealability, or in the alternative, forward the motion to the Ninth Circuit. *Id.* at 3.

"The filing of a notice of appeal is an event of jurisdictional significance—it confers jurisdiction on the court of appeals and divests the district court of its control over those aspects

¹ The order was signed on July 26, 2025, but not docketed until July 28, 2025.

1 of the case involved in the appeal.” *Griggs v. Provident Consumer Disc. Co.*, 459 U.S. 56, 58,
2 (1982). Therefore, this Court has been divested of jurisdiction to address the issuance of a
3 certificate of appealability.

4 Accordingly:

- 5 1. Petitioner’s motion for certificate of appealability, Doc. 45, is TERMINATED; and
- 6 2. The Clerk of Court is directed to forward the motion for certificate of appealability,
7 Doc. 45, to the United States Court of Appeals for the Ninth Circuit.

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10 IT IS SO ORDERED.

11 Dated: August 28, 2025



UNITED STATES DISTRICT JUDGE